Amendments to the Claims

Please amend the following claims as indicated:

1. (Currently amended) An apparatus for positively identifying an item, the apparatus comprising:

    a processor configured to execute executable data structures; and

    a memory device connected to the processor for storing the executable data structures, the executable and operational data structures comprising:

    a reader module configured to read a coded identifier associated with the

    item;

    a capture module configured to capture a visual characteristic of the item,

    independent of the coded identifier, and convert the visual characteristic into

    a visual signature based on brightness, hue, color saturation, and color

    variation;

    an association module configured to identify the item in a database based on the

    coded identifier;

    a verification module configured to verify the identity of the item based on the visual

    signature~~characteristic~~; ~~and~~

    a presentation module configured to provide audio information describing one or

    more visual characteristics of an item associated with the coded identifier

    such that a user can detect a mismatch between the coded identifier and

    the item to facilitate fraud detection; and[[.]]

    a confirmation module configured to receive a confirmation selection from the

    user confirming that the visual characteristic of the item matches the audio

    information.

2. (Canceled)

-2-

3.   (Canceled)

4.   (Currently amended) The apparatus of claim 1, the presentation module further configured to present to the[[a]] user a plurality of candidate items with visual signatures matching the visual signature of the item~~associated with the visual characteristic~~ and enable the user to identify the item from the plurality of candidate items.

5.   (Currently amended) The apparatus of claim 1, the executable and operational data structures further comprising a notification module configured to notify the[[a]] user whether the coded identifier is associated with the item.

6.   (Canceled)

7.   (Previously presented) The apparatus of claim 1, the executable and operational data structures further comprising a weight module configured to identify the item based on its weight.

8.   (Previously presented) The apparatus of claim 1, wherein the visual characteristic is selected from the group consisting of color, size, shape, and texture.

9.   (Currently amended) A user interface for positively identifying an item, the user interface comprising:

> an input module configured to read a coded identifier associated with the item and to capture
>> a visual characteristic associated with the item, the visual characteristic captured
>> independent of the coded identifier;

a controller in communication with the input module, the controller configured to receive the coded identifier and the visual characteristic from the input module, identify the item in a database based on the coded identifier, <u>convert the visual characteristic into a visual signature based on brightness, hue, color saturation, and color variation,</u> and verify the identity of the item based on the visual <u>signature</u><s>characteristic</s>; and

a confirmation module in communication with the controller, the confirmation module configured to confirm that the identity of the item by way of audio information describing one or more visual characteristics of an item associated with the coded identifier such that a user can detect a mismatch between the coded identifier and the item to facilitate fraud detection<u>, and receive a confirmation selection from the user confirming that the visual characteristic of the item matches the audio information</u>.

10.   (Currently amended) The user interface of claim 9, the presentation module further configured to present to <u>the</u>[[a]] user a plurality of candidate items <u>with visual signatures matching the visual signature of the item</u><s>associated with the visual characteristic</s> and enable the user to identify the item from the plurality of candidate items.

11.   (Currently amended) The user interface of claim 9, further comprising a notification module configured to notify <u>the</u>[[a]] user whether the item is associated with the coded identifier.

12.   (Previously presented) The user interface of claim 9, wherein the input module identifies the item based on its weight.

13.   (Currently amended) A system for positively identifying an item, the system comprising:
a checkout station, comprising:

a processor configured to execute executable data structures; and

a memory device connected to the processor for storing the executable

data structures, the executable and operational data structures comprising:

a reader module configured to read a coded identifier of the

item; and

a capture module configured to capture a visual characteristic of the

item, the visual characteristic captured independent of the

coded identifier, and convert the visual characteristic into a

visual signature based on brightness, hue, color saturation,

and color variation; and

a presentation module configured to provide audio information describing one or

more visual characteristics of an item associated with the coded identifier

such that a user can detect a mismatch between the coded identifier and the

item to facilitate fraud detection; and

a confirmation module configured to receive a confirmation selection from the user

confirming that the visual characteristic of the item matches the audio

information; and

a server in communication with the checkout station, the server comprising:

an association module configured to identify the item in a database based on the

coded identifier; and

a verification module configured to verify the identity of the item based on the visual

signaturecharacteristic.

14. (Original) The system of claim 13, wherein the server is remote in relation to the checkout

station.

15. (Original) The system of claim 13, wherein the server communicates with a plurality of checkout stations.

16. (Currently amended) A method for positively identifying an item, the method comprising:

>   reading a coded identifier associated with the item;

>   capturing a visual characteristic of the item, the visual characteristic captured independent of the coded identifier;

>   converting the visual characteristic into a visual signature based on brightness, hue, color saturation, and color variation;

>   identifying the item in a database based on the coded identifier;

>   providing audio information describing one or more visual characteristics of an item associated with the coded identifier such that a user can detect a mismatch between the coded identifier and the item to facilitate fraud detection; and

>   receiving a confirmation selection from the user confirming that the visual characteristic of the item matches the audio information; and

>   verifying the identity of the item based on the visual signaturecharacteristic.

17. (Canceled)

18. (Currently amended) The method of claim 16, further comprising presenting to the[[a]] user a plurality of candidate items with visual signatures matching the visual signature of the itemassociated with the visual characteristic and enabling the user to identify the item from the plurality of candidate items.

19.   (Currently amended) The method of claim 16, further comprising notifying the[[a]] user whether the coded identifier is associated with the item.

20.   (Canceled)

21.   (Canceled)

22.   (Original) The method of claim 16, further comprising identifying and associating the weight of the item with the weight of the candidate item.

23.   (Previously presented) The method of claim 16, wherein the visual characteristic is selected from the group consisting of color, size, shape, and texture.

24.   (Currently amended) An apparatus for positively identifying an item, the apparatus comprising:

means for reading a coded identifier associated with the item;

means for capturing a visual characteristic of the item, the visual characteristic captured independent of the coded identifier;

means for converting the visual characteristic into a visual signature based on brightness, hue, color saturation, and color variation;

means for identifying the item in a database based on the coded identifier;

means for providing audio information describing one or more visual characteristics of an item associated with the coded identifier such that a user can detect a mismatch between the coded identifier and the item to facilitate fraud detection; and

receiving a confirmation selection from the user confirming that the visual characteristic of the item matches the audio information; and

means for verifying the identity of the item based on the visual signaturecharacteristic.

25. (Canceled)

26. (Currently amended) The apparatus of claim 24, further comprising means for notifying the[[a]] user whether the coded identifier is associated with the item.

27. (Currently amended) An article of manufacture comprising a program storage medium readable by a processor and embodying one or more instructions executable by a processor to perform a method for positively identifying an item, the method comprising:

reading a coded identifier associated with an item;

capturing a visual characteristic of the item, the visual characteristic captured independent of the coded identifier;

converting the visual characteristic into a visual signature based on brightness, hue, color saturation, and color variation;

identifying the item in a database based on the coded identifier;

providing audio information describing one or more visual characteristics of an item associated with the coded identifier such that a user can detect a mismatch between the coded identifier and the item to facilitate fraud detection; and

receiving a confirmation selection from the user confirming that the visual characteristic of the item matches the audio information; and

verifying the identity of the item based on the visual signaturecharacteristic.

28. (Canceled)

29. (Currently amended) The article of manufacture of claim 27, wherein the method further comprises presenting to the[[a]] user a plurality of candidate items with visual signatures matching the visual signature of the item~~associated with the visual characteristic~~ and enabling the user to identify the item from the plurality of candidate items the item.

30. (Currently amended) The article of manufacture of claim 27, wherein the method further comprises notifying the[[a]] user whether the coded identifier is associated with the item.